

### **REMARKS**

Claims 36-88 are pending in this application. Claims 36, 52-54, 70, and 86-88 are independent claims. Claims 36-45, 49-63, 67-79, and 83-88 are amended by this Amendment.

The Office Action dated October 22, 2007 rejected claims 36, 37, 52-55, 70, 71 and 86-88 as being anticipated by prior art under 35 USC 102(b), and rejected claims 38-51, 56-69 and 72-85 as being rendered obvious by prior art under 35 USC 103(a).

### **Claim Amendments**

Although applicants respectfully traverse the prior art rejections for the reasons stated previously, they nevertheless amend the claims to clearly distinguish over the applied prior art references. The independent claims have been amended to recite that the communication system comprises a hierarchical mesh network, and that the first network is a first mesh network tier, the second network is a second mesh network tier, and the third network is a third mesh network tier. Non-limiting support for these claim amendments can be found in the example embodiment described starting on page 4 of the specification. The example embodiment involves an arrangement of overlapping tiered networks whereby a sink node enables communications from and between various mesh network tiers and thus enables a subscriber unit from one tier to communicate with nodes in different tiers.

Hierarchical mesh networks are distinguished from other communication networks and have the problem of effectively communicating and generating communication paths between the hierarchical tiers. Claim 36 and the other independent claims recite having the connection between a first mesh network tier sink node and a second mesh network tier subscriber unit configured to communicate in the second mesh network tier, whereby one of the subscriber units is configured to be provided with a communications path via the first mesh network tier sink node to the second mesh network unit.

### **Previously Cited References**

Claims 36, 37, 52-55, 70, 71 and 86-88 are rejected as set forth in part 4 on pages 4-5 of the Office Action. Specifically, the rejection is based on the preferred embodiment shown in Figs. 2A and 2B and described at col. 4, line 45, to col. 5, line 25, of U.S. Patent No. 5,664,007 issued to Samadi et al. (this preferred embodiment hereinafter being referred to simply as "Samadi"). Claims 38-51, 56-69, and 72-85 are rejected as set forth in part 6 on pages 5-9 of the Office Action. Specifically, the rejection states that the claims are rendered obvious by Samadi in view of U.S. Patent No. 6,185,413 issued to Mueller et al. Applicants respectfully submit that the amended claims distinguish over Samadi, either alone or when considered in combination with Mueller.

Samadi does not include at least the recited features of a hierarchical mesh network comprising at least a first mesh network tier and a second mesh network tier. Although Samadi does include subscriber units and sink nodes configured to wirelessly communicate with subscriber units, such devices are not operable within a mesh hierarchical network as recited in the amended claims.

Samadi provides for the continuation of communication calls where the user moves from the coverage area of one communications network to the coverage area of another communication network. In particular, it sends requests from a first network to a second network in order to reconnect calls or route calls via a second network where the call had originally been placed across a first network. Samadi is thus concerned with routing calls in a simple non-tiered network arrangement such as cellular communications systems where there are multiple wireless communication networks to be communicated across. These multiple networks, even though partially overlapping where one network may cover largely different areas than another network and maintaining connections over a full range of areas, are nevertheless at the same hierarchical tier and do not anticipate the claims as amended.

As previously mentioned, Mueller does not disclose a connection between a first mesh network tier sink node unit and a second mesh network tier unit. Furthermore, Mueller fails to disclose the first mesh network tier sink node arranged to operate over a second mesh network tier communications terminal for providing one of the first mesh

network tier communication terminals with communication via the sink node to the second mesh network tier.

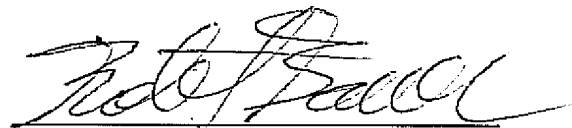
**Conclusion**

Applicants respectfully submit that the claims, as amended, distinguish over the previously cited references. A Notice of Allowance is respectfully requested.

Applicants do not believe that any fee is due with this communication. However, the Communication is hereby authorized to charge any addition fee(s) or credit any overpayments that may be necessary with this communication to Deposit Account No. 10-0100. (Docket No. NOKIA.4013US).

Respectfully submitted,

December 26, 2007  
Date

A handwritten signature in black ink, appearing to read "Robert M. Bauer", written over a horizontal line.

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